

### **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-3, 9, and 26-33 were pending in the application, of which Claims 1, 26, and 30 are independent. In the Office Action dated November 28, 2005, Claims 1-3, 9, and 26-33 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-3, 9, and 26-33 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of Claims 1, 9, 26, 29-30, and 33 Under 35 U.S.C. § 103(a)

In the Office Action dated November 26, 2005, the Examiner rejected Claims 1, 9, 26, 29-30, and 33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,504 ("*Hamlin*") in view of U.S. Patent No. 6,622,175 ("*Piller*") further in view of U.S. Patent Publication No. 2003/0069874 ("*Hertzog*") and U.S. Patent No. 6,609,128 ("*Underwood*"). Claims 1, 26, and 30 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein the survey database comprises, data display data for each of the one or more questions indicating how input fields for each of the one or more questions should be displayed, the data display data comprising a question field for each of the one or more questions comprising its respective question, a response type field for each of the one or more questions indicating what type of input field should be generated for its respective question, and a response parameter field for each of the one or more questions indicating how the input field corresponding to each respective question should be displayed, data comprising sequence numbers wherein



each of the one or more questions has a sequence number indicating a sequence for the one or more questions, data comprising activation indicators wherein each of the one or more questions has an activation indicator indicating whether each of the one or more questions should be included in the electronic survey and wherein the class file does not generate markup language for each of the one or more questions not to be included in the survey when executed, and an application name corresponding to the electronic survey, a form name, and a version number” and “wherein creating the executable class file comprises, determining which questions within the one or more questions are active based upon the activation indicators, generating, based at least on the data display data, code for the executable class file required to display the active questions and response fields corresponding to the active questions, and reordering the code for generating active questions based on the sequence numbers associated with the active questions.” Amended Claims 26 and 30 each includes similar recitations. Support for these amendments can be found in the specification at least on page 12, line 22 through page 13, line 17.

In contrast, *Hamlin* at least does not disclose the aforementioned recitations. For example, *Hamlin* merely discloses that when a network user completes a survey, the survey results are automatically sent over a network system where they are validated and stored in a corresponding storage unit (e.g. database) using validation and insertion commands that are attached to the survey. (See col. 13, lines 45-49.) In addition, *Hamlin* discloses that by interacting with an interface, a client can define questions, select responses, edit, reorder, and view the survey. (See col. 14, lines 12-14.) In addition, the Examiner stated that *Hamlin* does not teach the use of class files, markup



languages, field types, application names, form names and version numbers. (See Office Action, page 4, lines 17-18.) Consequently, *Hamlin* discloses automatically sending survey results over a network system where they are validated and stored. In *Hamlin*, a survey database comprising the aforementioned data is not disclosed. In addition, *Hamlin* does not disclose creating the executable class file by determining ..., generating, ... and reordering ... as described above. *Hamlin* is completely silent regarding these recitations.

Furthermore, *Piller* does not overcome *Hamlin*'s deficiencies. *Piller* merely discloses that, when byte code generator 42 terminates, a string of hexadecimal bytes, necessary to define a proxy class, is stored in memory as remote proxy class 23, which is an executable Java .class file. (See col. 9, lines 19-22.) Furthermore, the Examiner stated that *Piller* does not teach the use of markup languages, field types, application names, form names, and version numbers. (See Office Action, page 5, lines 16-17.) Like *Hamlin*, *Piller* at least does not disclose the aforementioned recitations, rather *Piller* is completely silent regarding these recitations.

Moreover, *Hertzog* does not overcome *Hamlin*'s and *Piller*'s deficiencies. *Hertzog* merely discloses that a screen print showing a main window 130, according to an exemplary embodiment, may be generated by a GUI 24. (See paragraph [0109], FIG. 8.) While UIs are described as being Windows.RTM, UIs may comprise markup language documents generated by a web server. (See paragraph [0109].) Like *Hamlin* and *Piller*, *Hertzog* at least does not disclose the aforementioned recitations, rather *Hertzog* is completely silent regarding these recitations.



In addition, *Underwood* does not overcome *Hamlin's*, *Piller's*, and *Hertzog's* deficiencies. *Underwood* merely discloses codes table framework design in an E-commerce architecture. Like *Hamlin*, *Piller*, and *Hertzog*, *Underwood* at least does not disclose the aforementioned recitations, rather *Underwood* is completely silent regarding these recitations.

Combining *Hamlin* with *Piller*, *Hertzog*, and *Underwood* would not have led to the claimed invention because *Hamlin*, *Piller*, *Hertzog*, and *Underwood*, either individually or in combination, at least do not disclose the aforementioned recitations, as recited by amended Claim 1. Amended Claims 26 and 30 each includes similar recitations. Accordingly, independent Claims 1, 26, and 30 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 26, and 30.

Dependent Claims 9, 29, and 33 are also allowable at least for the reasons described above regarding independent Claims 1, 26, and 30, and by virtue of their respective dependencies upon independent Claims 1, 26, and 30. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 9, 29, and 33.

## II. Rejection of Claims 2, 3, 27, 28, 31, and 32 Under 35 U.S.C. § 103(a)

In the Office Action dated November 26, 2005, the Examiner rejected Dependent Claims 2, 3, 27, 28, 31, and 32 under 35 U.S.C. § 103(a) as being unpatentable over *Hamlin* in view of *Piller*, *Hertzog*, and *Underwood* further in view of U.S. Patent No. 6,832,239 ("*Kraft*"). Dependent Claims 2 and 3 are patentably distinguishable over the



cited art for at least for the reason that they include, due to their dependency on amended independent Claim 1, the recitation stated above with respect to Section I. Dependent Claims 27, 28, 31, and 32 are patentably distinguishable over the cited art for at least for the reason that they include similar recitations.

As stated above, *Hamlin* at least does not disclose the aforementioned recitations. For example, *Hamlin* merely discloses that when a network user completes a survey, the survey results are automatically sent over a network system where they are validated and stored in a corresponding storage unit (e.g. database) using validation and insertion commands that are attached to the survey. (See col. 13, lines 45-49.) In addition, *Hamlin* discloses that by interacting with an interface, a client can define questions, select responses, edit, reorder, and view the survey. (See col. 14, lines 12-14.) In addition, the Examiner stated that *Hamlin* does not teach the use of class files, markup languages, field types, application names, form names and version numbers. (See Office Action, page 4, lines 17-18.) Consequently, *Hamlin* discloses automatically sending survey results over a network system where they are validated and stored. In *Hamlin*, a survey database comprising the aforementioned data is not disclosed. In addition, *Hamlin* does not disclose creating the executable class file by determining ..., generating, ... and reordering ... as described above. *Hamlin* is completely silent regarding these recitations.

Furthermore, and as also stated above, *Piller* does not overcome *Hamlin's* deficiencies. *Piller* merely discloses that, when byte code generator 42 terminates, a string of hexadecimal bytes, necessary to define a proxy class, is stored in memory as remote proxy class 23, which is an executable Java .class file. (See col. 9, lines 19-22.)



Furthermore, the Examiner stated that *Piller* does not teach the use of markup languages, field types, application names, form names, and version numbers. (See Office Action, page 5, lines 16-17.) Like *Hamlin*, *Piller* at least does not disclose the aforementioned recitations, rather *Piller* is completely silent regarding these recitations.

Moreover, and as also stated above, *Hertzog* does not overcome *Hamlin's* and *Piller's* deficiencies. *Hertzog* merely discloses that a screen print showing a main window 130, according to an exemplary embodiment, may be generated by a GUI 24. (See paragraph [0109], FIG. 8.) While UIs are described as being Windows.RTM, UIs may comprise markup language documents generated by a web server. (See paragraph [0109].) Like *Hamlin* and *Piller*, *Hertzog* at least does not disclose the aforementioned recitations, rather *Hertzog* is completely silent regarding these recitations.

In addition, and as also stated above, *Underwood* does not overcome *Hamlin's*, *Piller's*, and *Hertzog's* deficiencies. *Underwood* merely discloses codes table framework design in an E-commerce architecture. Like *Hamlin*, *Piller*, and *Hertzog*, *Underwood* at least does not disclose the aforementioned recitations, rather *Underwood* is completely silent regarding these recitations.

Also, *Kraft* does not overcome *Hamlin's*, *Piller's*, *Hertzog's*, and *Underwood's* deficiencies. *Kraft* merely discloses systems for managing network resources. Like *Hamlin*, *Piller*, *Hertzog*, and *Underwood*, *Kraft* at least does not disclose the aforementioned recitations, rather *Kraft* is completely silent regarding these recitations

Combining *Hamlin*, *Piller*, *Hertzog*, *Underwood*, and *Kraft* would not have led to the claimed invention because *Hamlin*, *Piller*, *Hertzog*, *Underwood*, and *Kraft*, either



individually or in combination, at least do not disclose the recitation stated above with respect to Section I, as included in dependent Claims 2 and 3. Dependent Claims 27, 28, 31, and 32 each includes similar recitations. Accordingly, dependent Claims 2, 3, 27, 28, 31, and 32 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of dependent Claims 2, 3, 27, 28, 31, and 32.

### III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.



Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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